

Melissa D. Hill
melissa.hill@morganlewis.com
Law Offices
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, New York 10178
(212) 309-6318 (Telephone)
(212) 309-6001 (Fax)
Attorneys for Defendants

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARAT GOKHBERG, YURY GOKHBERG,
DAVID JAFFE, SUREKHA BASSI, and MARC
FRANCHI,

Plaintiffs,

v.

THE PNC FINANCIAL SERVICES GROUP, INC.
and PNC BANK, N.A.,

Defendants.

Case No.: 1:15-cv-06001-LTS

Document Filed Electronically

ORAL ARGUMENT REQUESTED

**DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY IN FURTHER
SUPPORT OF ITS MOTION TO TRANSFER VENUE TO THE WESTERN DISTRICT
OF PENNSYLVANIA PURSUANT TO 28 U.S.C. § 1404(a)**

Defendants PNC Financial Services Group, Inc. and PNC Bank, National Association (collectively, "PNC") hereby inform the Court that on November 25, 2015, the United States District Court for the Western District of Pennsylvania issued the Order attached hereto as Exhibit A granting conditional certification to a nationwide collective action on behalf of mortgage loan officers ("MLOs") in *Bland v. PNC Bank, N.A.*, 2:15-cv-01042, ECF No. 53. This case, as Plaintiffs concede, is substantially similar to the present case. ECF No. 25 at 6. Pursuant to a subsequent Order from the *Bland* court, attached hereto as Exhibit B, notice of the lawsuit and the right to opt-in will be sent to all PNC MLOs throughout the nation employed

since January 2013 by January 15, 2016. *Bland*, No. 2:15-cv-01042, ECF No. 57. The individuals who will receive notice of the *Bland* lawsuit are the same individuals for whom Plaintiffs here seek conditional collective certification of their FLSA claims and notice in this action. *See* Pls.' Compl. ¶ 11, ECF No. 1.

Given the progress of the *Bland* lawsuit and the judicial inefficiency of having substantially similar lawsuits proceed at the same time, and for the reasons set forth in PNC's Motion to Transfer Venue, PNC respectfully requests that the Court grant its Motion to Transfer Venue and transfer this action to the Western District of Pennsylvania pursuant to 28 U.S.C. § 1404(a).

Dated: December 8, 2015

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

/s/ Sarah E. Bouchard

Sarah E. Bouchard (*Pro Hac Vice*)

1701 Market Street

Philadelphia, PA 19103

215-963-5077

215-963-5001 (fax)

sbouchard@morganlewis.com

Melissa D. Hill

101 Park Avenue

New York, NY 10178

212.309.6318

212.309.6001 (fax)

melissa.hill@morganlewis.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that copies of Defendants' Notice of Supplemental Authority in Support of Defendants' Motion to Transfer Venue to the Western District of Pennsylvania Pursuant to 28 U.S.C. § 1404(a) was electronically filed with the Court and served via its ECF/CM system on December 8, 2015 upon the following:

Hope Allison Pordy
SPIVAK, LIPTON, WATANABE, SPIVAK & MOSS LLP
1700 Broadway, Suite 2100
New York, NY 10019

Gregory K. McGillivary
Diana J. Nobile
Sarah Block
WOODLEY & MCGILLIVARY LLP
1101 Vermont Ave., N.W.
Suite 1000
Washington, D.C. 20005

Attorneys for Plaintiffs

s/ Sarah E. Bouchard
Sarah E. Bouchard